

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Jerrick Lamont Ellis

Docket No. 5:11-CR-210-1F

Petition for Action on Supervised Release

COMES NOW Timothy L. Gupton, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Jerrick Lamont Ellis, who, upon an earlier plea of guilty to Possession With Intent to Distribute 28 Grams or More of Cocaine Base (Crack), was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on January 4, 2012, to the custody of the Bureau of Prisons for a term of 84 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

Jerrick Lamont Ellis was released from custody on March 29, 2016, at which time the term of supervised release commenced. On May 5, 2016, a Violation Report was filed advising the defendant tested positive for cocaine on April 27, 2016. With the issuance of a verbal reprimand, the court agreed to take no further action at the time.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On August 29, 2016, Ellis tested positive for cocaine. The urinalysis results were confirmed by Alere Toxicology Services, Inc. When confronted with the urinalysis results, the defendant denied any drug use and signed a Denial Report. This probation officer discussed substance abuse counseling with Ellis; however, he stated that substance abuse counseling was not necessary because he was not using drugs. A verbal reprimand was issued, and this probation officer discussed implementation of the DROPS Program at the second use level (5 days) with the defendant. Ellis signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days. The defendant shall begin the DROPS Program in the second use level.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved, I declare under penalty of perjury that the foregoing is true and correct.

/s/ Michael C. Brittain
Michael C. Brittain
Senior U.S. Probation
Officer

/s/ Timothy L. Gupton
Timothy L. Gupton
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8686
Executed On: September 21, 2016

ORDER OF THE COURT

Considered and ordered this 22nd day of September, 2016, and ordered filed and made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge